

**Amendment to Drawings**

Amended drawing sheets containing FIGS. 1, 2A and 2B are attached to the end of this paper. A label "PRIOR ART" has been added to each of FIGS. 1, 2A and 2B.

Attachments: Replacement Sheets.

### **REMARKS**

The Office Action mailed January 26, 2006 has been received and the Examiner's comments carefully reviewed. Applicants have amended claims 2 and 10-12 and added new claim 22. Applicants respectfully submit that the pending claims are in condition for allowance.

### **Drawings**

The drawings have been objected to for lacking designation "prior art" for Figs. 1, 2A and 2B. The applicants have amended the drawing to add the appropriate labels, and respectfully request the withdrawal of the objection.

### **Rejections Under 35 U.S.C. §112**

The Examiner rejected claims 10 and 11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The applicants have amended these claims to depend on claim 3. The applicants respectfully request the rejection based on 35 U.S.C. §112.

### **Rejections Under 35 U.S.C. §102**

The Examiner rejected claims 1, 2, 8, 9 and 12-19 under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Application Publication 2001-349247 (the "'247 Publication" . The applicants respectfully traverse the rejection.

Independent claim 1 recites, in part, "a substantially unitary housing arranged and configured to house the heat exchanger, the displacer cylinder assembly and at least a portion of the displacer cylinder primary mover." The '247 Publication does not disclose or suggest this feature. The Examiner points to item 15 in the '247 Publication as the primary mover. However, item 15 appears to be a compressor assembly or a component thereof, such as a piston or compressor bore. In contrast, a "primary (or 'prime') mover" in the context of the present application refers to the source our power and may be implemented by a motor. *See, e.g.,* page 2, line 1-4. (Displacer and compressor assemblies generally driven by a prime mover.) Thus, what appears to be a unitary

housing 5 in the '247 Publication does not house any portion of the prime mover. Claim 1 is therefore not anticipated.

Independent claims 15 and 18 similarly recite a unitary or seamless housing that at least partially houses the primary mover, and are therefore similarly not anticipated by the '247 Publication.

Independent claim 12 recites, in part, that "at least two of the first section, second section and third sections have different diameters from each other and are seamlessly connected to one another." The '247 Publication does not disclose or suggest this feature. Claim 12 is therefore not anticipated by the '247 Publication.

Applicants therefore respectfully request the withdrawal of the rejection of claims 1, 15, 18 and their respective dependent claims 2, 8, 9, 13, 14 and 15-18 under 35 U.S.C. § 102(b) over the '247 Publication.

Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Strasser (U.S. Patent 5,020,218). Applicants respectfully traverse.

Claim 21 recites, in part, "b) machining at least one selected internal diameter of the housing", and "(c) installing a piston bore assembly proximate at least one of the *machined* internal diameters". (Emphasis added) *Strasser* fails to disclose or suggest this these features. *Strasser* discloses, in the portion cited by the Examiner (col. 4, line 6-10), forming the housing from a slug by using dies but fails to disclose or suggest machining an internal diameter or installing a component proximate an machined internal diameter. Claim 21 is therefore not anticipated, and the withdrawal of the rejection of claim 21 is respectfully requested.

#### **Allowable Subject Matter**

The Examiner objected to claims 3-7 and 20, but indicated that claims 3-7 and 20 would be allowable if rewritten in independent form incorporating all the limitations of the base claim and any intervening claims. In light of the discussion above, Applicants respectfully submit that amendment is not necessary, as the base claims are in condition for allowance, and request the withdrawal of the objection.

Claims 10 and 11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, to include all of the limitations of the base

claim and any intervening claims. In light of the amendment of claims 10 and 11, the applicants believe these claims are in condition for allowance.

New claim 22 has been added and is believed to be allowable for at least the same reasons as set forth above for the allowability of claims 1 and 2.

### SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-21) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

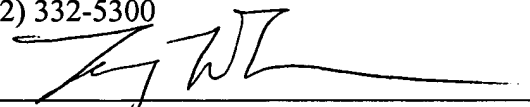
Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.

Respectfully submitted,



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